

IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MARYLAND

BRUCE ALLEN LILLER, et al.

Plaintiff

v.

ROBERT KAUFFMAN, et al.

Defendants and  
Third-Party Plaintiffs

v.

ROGER LEE HELBIG

Third-Party Defendant

Case No.: MJG 02-CV-3390  
(Consolidated with MJG 02-CV-3391)

\* \* \* \* \*

**MOTION IN LIMINE TO PRECLUDE  
TESTIMONY BY CHARLES COHEN, PH.D.**

Defendants, Robert Kauffman and Joseph Kauffman, by their undersigned counsel, and pursuant to Rule 702 of the Rules of Evidence, moves this Honorable Court to preclude the testimony at trial of Charles Cohen, Ph.D., and for reasons state:

1. As is more fully set forth in the attached Memorandum, the testimony of Dr. Cohen will not assist the trier of fact in this case to understand the evidence or determine a fact in issue, and therefore his testimony as an expert witness at the trial of this case should be precluded.

WHEREFORE, the Defendants respectfully request that this Honorable Court preclude the testimony at trial of Charles Cohen, Ph.D.

/s/ Kathleen M. Bustraan

Kathleen M. Bustraan

(Bar No. 24417)

Jennifer S. Lubinski

(Bar No. 25160)

Lord & Whip, P.A.

Charles Center South, 10<sup>th</sup> Floor

36 S. Charles Street

Baltimore, Maryland 21201

(410) 539-5881

Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT on this 6<sup>th</sup> day of February, 2004, a copy of the foregoing Motion in Limine to Preclude Testimony by Charles Cohen, Ph.D., Request for Hearing, Proposed Order, and Memorandum in support thereof was electronically filed with the United States District Court for the District of Maryland with notice sent to: Arnold F. Phillips, Esquire, 25254 Garrett Highway, Suite 4, P.O. Box 537, McHenry, Maryland 21541, Attorney for Plaintiffs; and Donald L. Speidel, Esquire, 800 Red Brook Boulevard, Suite 120, Owings Mills, Maryland 21117.

/s/ Jennifer S. Lubinski

Jennifer S. Lubinski

(Bar No. 25160)